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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/919,059	07/30/2001	Pankaj N. Parmar	10559-503001	2670
20985	7590	05/03/2005	EXAMINER	
FISH & RICHARDSON, PC 12390 EL CAMINO REAL SAN DIEGO, CA 92130-2081			WALSH, JOHN B	
			ART UNIT	PAPER NUMBER
			2151	
DATE MAILED: 05/03/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/919,059	Applicant(s) PARMAR ET AL.	
	Examiner John B. Walsh	Art Unit 2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10, 13-30 and 33-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 13-30 and 33-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/22/02</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-10, 13-22, 24-30 and 33-39 are rejected under 35 U.S.C. 102(a) as being anticipated by WO 00/78004 A2 to Iyer et al.

As concerns claims 1 and 15, identifying one or more policies associated with a network component (p. 7, lines 13-14); generating a list of one or more groups to which the network component belongs (p. 3, line 17, 19, 36-38); and identifying one or more policies associated with each of the groups in the generated list (p. 3, line 36-p. 4, line 9).

As concerns claims 2, 16 and 26, in which the network component comprises one or more of the following: a network device, a device group, a device subgroup, a user, a group of users, an application, a group of applications, an end-host, a group of end-hosts, and one or more time conditions (p. 2, lines 33-34).

As concerns claim 3, the method of claim 2 in which at least one of the identified policies associated with the network component is currently deployed (condition of policy is satisfied).

As concerns claim 4, the method of claim 2 in which at least one of the identified policies associated with the network component is currently undeployed (condition of policy is not satisfied).

As concerns claims 5, 17, 27 and 35, in which identifying one or more policies associated with the network component comprises: searching an entry associated with the network component in an aggregated data set to identify one or more pointers (inherent to have pointers for access to memory locations of databases) to a deployment policy tree (p. 2, line 29; p. 8, lines 11-12); and based on the identified one or more pointers, searching the deployment policy tree to identify one or more policies directly associated with the network component (p. 4, lines 1-14, 19-23, p. 3, lines 8-12).

As concern claims 6, 18, 28 and 36, in which generating the list of one or more groups to which the network component belongs comprises: searching an entry associated with the network component in an aggregated data set to identify a pointer (inherent to have pointers for access to memory locations of databases) to a network configuration tree; and based on the identified pointer, searching the configuration tree to identify a parent node corresponding to a group to which the network component belongs (p. 3, line 29, 36-38, p. 4, lines 1-14).

As concerns claims 7, 19, 29 and 37, further comprising recursively searching the aggregated data set (list in database has recursive terms) and the configuration tree until a non-group node is encountered in the configuration tree (p. 2, line 26; in a central database user can stop searching when they come across the second database information when they are searching only for the first database information).

As concerns claims 8 and 20, in which the recursive searching generates a group chain list (database).

As concerns claims 9, 21, 30 and 38, in which identifying one or more policies associated with each of the groups in the generated list comprises, for each group in the list: searching an entry

associated with the group in an aggregated data set to identify one or more pointers (inherent to have pointers for access to memory locations of databases) to a deployment policy tree; and based on the identified one or more pointers, searching the deployment policy tree to identify one or more policies directly associated with the group (p. 4, lines 1-14, 19-23, p. 3, lines 8-12).

As concerns claims 10 and 22, in which one or more of the operations is performed at least in part using an aggregated data set (p. 2, lines 26-29).

As concerns claims 13 and 24, in which the aggregated data set comprises a plurality of entries (plurality of data elements in database, p. 3, line 1, p. 3, lines 37-38), each entry corresponding to a network component and including a network component identifier (p. 4, lines 1-14), one or more pointers (inherent to have pointers for access to memory locations of databases) to a deployment policy tree, and a pointer (inherent to have pointers for access to memory locations of databases) to a network configuration tree (p. 8, lines 11-12).

As concerns claim 14, the method of claim 1 in which providing a capability to perform operations on a computer system comprises providing at a network management policy decision point a policy based network management software application capable of performing the operations (abstract, p. 2, lines 9-23, p. 3, line 8).

As concerns claim 25, a policy based network management (PBNM) system comprising: a network configuration tree configured to store a tree representation of a network configuration (figures 1 and 2), the tree representation being formed of a plurality of nodes, each node corresponding to a network component (p. 2, line 29, p. 8, lines 11-12); a deployed policy tree configured to store a tree representation of policies associated with network components (p. 2, line 29, p. 8, lines 11-12); an aggregated data set configured to store a plurality of data elements

including one or more identity elements (plurality of data elements in database, p. 3, line 1, p. 3, lines 37-38), one or more pointers (inherent to have pointers for access to memory locations of databases) to the deployed policy tree, and one or more pointers (inherent to have pointers for access to memory locations of databases) to the network configuration tree, each identity element identifying a network component and having an associated network configuration tree pointer (inherent to have pointers for access to memory locations of databases) and one or more associated deployed policy tree pointers (inherent to have pointers for access to memory locations of databases); and one or more software components (p. 2, lines 9-23, p. 3, line 8) configured to identify one or more policies associated with a network component; generate a list of one or more groups to which the network component belongs (p. 3, line 17, 19, 36-38); and identify one or more policies associated with each of the groups in the generated list (p. 3, line 36-p. 4, line 9).

As concerns claim 33, a method comprising providing a capability to perform operations on a computer system, the operations comprising: receiving a request (602) to identify one or more policies associated with a specified subject; identifying one or more policies directly associated with the specified subject (p. 7, lines 13-14); generating a list of one or more groups to which the specified subject belongs (p. 3, line 17, 19, 36-38); and identifying one or more policies associated with each of the groups in the generated list (p. 3, line 36-p. 4, line 9).

As concerns claim 34, the method of claim 33 in which the specified subject comprises one or more of the following: a network device, a device group, a device subgroup, a user, a group of users, an application, a group of applications, an endhost, a group of end-hosts, and one or more time conditions (p. 2, lines 33-34).

As concerns claim 39, the method of claim 33 in which providing a capability to perform operations on a computer system comprises providing at a network management policy decision point a policy based network management software application capable of performing the operations (p. 2, lines 9-23, p. 3, line 8).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over WO 00/78004 A2 to Iyer et al. as applied above in view of U.S. Patent No. 6,778,534 to Tal et al.

Iyer et al. do not explicitly disclose the aggregated data set comprises a hash table or a red-black tree.

Tal et al. '534 disclose a hash table for storing and organizing different data types (paragraph 38).

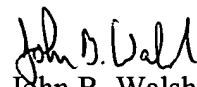
It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the system of Iyer et al. with a hash table, as taught by Tal et al. '534, in order to store different types of data in an organized fashion.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John B. Walsh whose telephone number is 571-272-7063. The examiner can normally be reached on Monday-Thursday from 6:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571-272-3939. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


John B. Walsh
Primary Examiner
Art Unit 2151